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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/624,224	07/24/2000	Norishige Kakuno	Q60222	5390
7590 11/16/2005 Sughrue Mion Zinn MacPeak & Seas PLLC 2100 Pennsylvania Avenue N W Washington, DC 20037-3202			EXAMINER PHAM, THIERRY L	
			ART UNIT 2624	PAPER NUMBER
DATE MAILED: 11/16/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 2624



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Technology Center 2600

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/624,224

Filing Date: July 24, 2000

Appellant(s): KAKUNO, NORISHIGE

Allison M. Tulino
For Appellant

SUPPLEMENTAL EXAMINER'S ANSWER

● Status of Claims

The statement of the status of the claims contained in the brief is correct.

● Grounds of Rejection To Be Reviewed on Appeal

The ground of rejection to be reviewed on appeal contained in the brief is correct.

● Response to Arguments

Responsive to the reply brief under 37 CFR 41.41 filed on 8/4/05, a supplemental Examiner's

Answer is set forth below:

(1) Arguments presented with respect to claim 17 (pages 4-6) do not raise any new issue; therefore, no response is deemed necessary by the examiner.

(2) Arguments presented with respect to claim 1 (pages 6-7) raise new issues that were not previously addressed in the appeal brief. On pages 6-7 of reply brief, the applicant argued the claimed invention (claim 1) recites a data processing device is provided *separately* from the printer device. The examiner notes that nowhere in claim 1 include such features/limitations. Limitations of claim 1 simply state "a printing system" comprising a host device, data processing device, and print device. Nowhere in claim 1 states a data processing device is disposed *separately* from print device or nowhere in claim 1 states a data processing device cannot be incorporated inside a print device.

(3) Arguments presented with respect to claims 2-8 (pages 7-8) do not raise any new issue; therefore, no response is deemed necessary by the examiner.

(4) Arguments presented with respect to claim 13 (pages 8-9) raise new issues that were not previously addressed in the appeal brief. On pages 8-9, the applicant argued claim 13 recites a data processing device to be used in combination with a printer; in other words, the applicant argued data processing device is disposed separately from a print device. "*In combination with*" does not exclusively have to be external of the printer. In broadest interpretation, "*in combination with*" can be interpreted as internal and/or external. Nowhere in claim 13 and/or original filed specification indicates that a data processing device is exclusively had to be an external device

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(e.g. outside of printer device). Herein, the examiner interprets "*in combination with*" as a two devices combined into a single device, that is, a data processing device is disposed inside a print device.

Appellant may file another reply brief in compliance with 37 CFR 41.41 within two months of the date of mailing of this supplemental examiner's answer. Extensions of time under 37 CFR 1.136(a) are not applicable to this two month time period. See 37 CFR 41.43(b)-(c).

A Technology Center Director or designee has approved this supplemental examiner's answer by signing below:


JOHN K. PENG
QUALITY ASSURANCE SPECIALIST 11/14/05

(●) Supplemental Examiner's Answer, Conclusion

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Thierry L. Pham

